

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BARBARA E. VARNER,  
Plaintiff

v.

COMMONWEALTH OF PENNSYLVANIA, :  
NINTH JUDICIAL DISTRICT, :  
CUMBERLAND COUNTY; :  
CUMBERLAND COUNTY; S. GARETH :  
GRAHAM, individually; and JOSEPH :  
OSENKARSKI, individually,  
Defendants

: CIVIL ACTION  
: NO: 1:CV 01-0725

: JURY TRIAL DEMANDED

: Judge Yvette Kane

**JOINT MOTION**  
**FOR EXTENSION OF DISCOVERY DEADLINES**

FILED  
APR 25 2003  
MARY E. D'ANDREA, CLERK  
HARRISBURG, PA

All counsel jointly request that the Court extend the discovery deadlines so that all discovery shall be completed no later than sixty (60) days after the Court's ruling on the pending discovery motion to compel the production of documents and the deposition of David W. DeLuce filed coincident with this joint motion. It is further requested that all other deadlines set forth in this Court's Order dated December 3, 2002 shall be similarly extended.

Counsel state in support of their motion as follows:

1. Plaintiff commenced this action on April 26, 2001 by filing a complaint.
2. All defendants filed motions to dismiss the complaint by July 5, 2001, which motions were decided by this Court on September 30, 2002.
3. On December 3, 2002, the Court issued a Scheduling Order providing, *inter alia*, that discovery shall be completed by April 30, 2003 and that any dispositive motions, as

well as supporting briefs, be filed on or before June 18, 2003. The Order also provided that the case be listed for trial in October, 2003.

4. The parties have conducted extensive written discovery and have taken thirteen depositions to date.
5. An additional five depositions have been scheduled for April 28 and 29, 2003.
6. The plaintiff cannot complete discovery until she has received a ruling on the pending discovery motion.
7. It is anticipated that any required production of documents or the taking of the DeLuce deposition may prompt the other parties to engage in additional discovery.
8. Scheduling depositions with five attorneys frequently requires sixty days to find dates on which all counsel and the witness are available.

WHEREFORE, all parties respectfully request that the Court rule on the pending motions to compel and grant the parties sixty additional days to complete discovery after making this ruling.

Respectfully submitted,

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Attorney for Plaintiff

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: :  
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CUMBERLAND COUNTY; S. GARETH :  
GRAHAM, individually; and JOSEPH : Judge Yvette Kane  
OSENKARSKI, individually,  
Defendants :  
:

CERTIFICATE OF CONCURRENCE

I, Debra K. Wallet, Esq., hereby certify that on April 8, 2003, all counsel, namely Paul J. Dellasega, Esq. (Attorney for Cumberland County), A. Taylor Williams, Esq. (Attorney for Commonwealth of PA, Ninth Judicial District), David J. MacMain, Esq. (Attorney for Defendant Graham), and Paul Lancaster Adams, Esq. (Attorney for Defendant Osenkarski), indicated their concurrence in the attached motion requesting the extension of discovery until sixty days after the Court's ruling on the pending discovery motion.

Debra K. Wallet  
Debra K. Wallet, Esquire  
Attorney for Plaintiff

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NINTH JUDICIAL DISTRICT,	:
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CUMBERLAND COUNTY; S. GARETH	:
GRAHAM, individually; and JOSEPH	:
OSENKARSKI, individually,	:
Defendants	:

**PROOF OF SERVICE**

I, Debra K. Wallet, Esq., hereby certify that on April 25, 2003, I served a copy of the **JOINT MOTION FOR EXTENSION OF DISCOVERY DEADLINES** by first class mail, postage prepaid, addressed to:

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